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MEMENT

JOINT MOTION TO ADD

PARTY, AMEND CAPTION

AND ENTER CONSENT

JUDGMENT

4/28/23

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NIGERIAN AGIP EXPLORATION
LIMITED and OANDO OML 125 & 134
LIMITED,

Petitioners,

v.

NIGERIAN NATIONAL PETROLEUM
CORPORATION,

Respondent.

No. 17-cv-4483-LLS

**JOINT MOTION TO ADD
PARTY, AMEND CAPTION
AND ENTER CONSENT
JUDGMENT**

Petitioners Nigerian Agip Exploration Limited (“NAE”) and Oando OML 125 & 134 Limited (“Oando” and, together with NAE, “Petitioners”) and Respondent Nigerian National Petroleum Corporation (the predecessor in interest to Nigerian National Petroleum Company Limited, “NNPC”) respectfully submit this joint motion seeking (1) to add NNPC as a Respondent to this action; (2) to amend the caption to reflect NNPC as an additional Respondent; and (3) entry of a Consent Judgment resolving and dismissing this action, as contemplated by the parties’ settlement. Petitioners expect to file a stipulation of dismissal with prejudice once this motion is resolved by the Court.

As background, Petitioners commenced this action on June 13, 2017, seeking confirmation of an arbitral award against Respondent. On November 13, 2017, the parties jointly requested that the Court stay the action to allow for litigation relating to the underlying arbitral award to progress in Nigeria. At the parties’ request, the Court extended the stay several times. On November 19, 2019, the Court entered an order on consent of the parties placing the action on the Court’s suspense docket until the parties inform the Court that the action is ready to proceed.

Granted
and So
Ordered
Louis L
Stanton
4/28/23

Pursuant to the Petroleum Industry Act, 2021 of Nigeria, Nigerian National Petroleum Corporation has been succeeded by NNPC and all assets, interests, and liabilities previously held by the Nigerian National Petroleum Corporation have been transferred to NNPC. Accordingly, the Parties respectfully request that NNPC be added to Nigerian National Petroleum Corporation as a Respondent in this action, and that the caption be amended to reflect such addition.

The Parties also jointly request that, consistent with the attached Terms of Settlement between NAE, Oando, Nigerian National Petroleum Corporation and NNPC (the “Terms of Settlement”), that the Court enter the attached proposed Consent Judgment to implement paragraph 4 of the Terms of Settlement, which provides that “[t]he Parties have agreed that this Terms of Settlement as set out herein is final and binding and shall be made the consent judgment of the New York Court.”

Petitioners intend to file a stipulation of dismissal with prejudice once that relief has been granted.

Respectfully submitted,

Dated: April 25, 2023

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